



BILLING CODE: 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-920]

Lightweight Thermal Paper from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2015-2016

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: On December 1, 2017, the Department of Commerce (Commerce) published in the *Federal Register* the preliminary results of the 2015-2016 administrative review (AR) of the antidumping duty (AD) order on lightweight thermal paper (LWTP) from the People's Republic of China (China), covering the period of review (POR) November 1, 2015, through October 31, 2016. We received no comments or requests for a hearing. Therefore, we have made no changes for these final results and continue to find that none of the companies under review established eligibility for a separate rate status and, thus, are part of the China-wide entity.

DATES: Applicable [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

FOR FURTHER INFORMATION CONTACT: Alex Rosen, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-7814.

SUPPLEMENTARY INFORMATION:

Background

On December 1, 2017, Commerce published the *Preliminary Results* and gave interested parties an opportunity to comment.¹ Commerce received no comments. Commerce conducted this review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act). Commerce has exercised its discretion to toll deadlines for the duration of the closure of the Federal Government from January 20 through 22, 2018. If the new deadline falls on a non-business day, in accordance with Commerce's practice, the deadline will become the next business day. The revised deadline for the final results of this review is now April 3, 2018.²

Scope of the Order

The merchandise covered by this order includes certain lightweight thermal paper, which is thermal paper with a basis weight of 70 grams per square meter (g/m²) (with a tolerance of \pm 4.0 g/m²) or less; irrespective of dimensions;³ with or without a base coat⁴ on one or both sides; with thermal active coating(s)⁵ on one or both sides that is a mixture of the dye and the developer that react and form an image when heat is applied; with or without a top coat;⁶ and without an

¹ See *Lightweight Thermal Paper from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review; 2015–2016*, 82 FR 56951 (December 1, 2017) (*Preliminary Results*).

² See Memorandum for The Record from Christian Marsh, Deputy Assistant Secretary for Enforcement and Compliance, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance, "Deadlines Affected by the Shutdown of the Federal Government" (Tolling Memorandum), dated January 23, 2018. All deadlines in this segment of the proceeding have been extended by 3 days.

³ LWTP is typically produced in jumbo rolls that are slit to the specifications of the converting equipment and then converted into finished slit rolls. Both jumbo and converted rolls (as well as LWTP in any other form, presentation, or dimension) are covered by the scope of these orders.

⁴ A base coat, when applied, is typically made of clay and/or latex and like materials and is intended to cover the rough surface of the paper substrate and to provide insulating value.

⁵ A thermal active coating is typically made of sensitizer, dye, and co-reactant.

⁶ A top coat, when applied, is typically made of polyvinyl acetone, polyvinyl alcohol, and/or like materials and is intended to provide environmental protection, an improved surface for press printing, and/or wear protection for the thermal print head.

adhesive backing. Certain lightweight thermal paper is typically (but not exclusively) used in point-of-sale applications such as ATM receipts, credit card receipts, gas pump receipts, and retail store receipts. The merchandise subject to this order may be classified in the Harmonized Tariff Schedule of the United States (HTSUS) under subheadings 3703.10.60, 4811.59.20, 4811.90.8040, 4811.90.9090, 4820.10.20, 4823.40.00, 4811.90.8030, 4811.90.8050, 4811.90.9030, and 4811.90.9050.^{7,8} Although HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this order is dispositive.

Final Results of the Review

Commerce preliminarily determined that none of the companies under review, Shenzhen Formers Printing Co., Ltd (Formers), Sailing International Ltd (Sailing), and Suzhou Xiandai Paper Production Co (Xiandai) demonstrated eligibility for separate rate status and, thus, found them to be part of the China-wide entity.⁹ As there are no changes from, or comments upon, the *Preliminary Results*, Commerce finds that there is no reason to modify its analysis. As a result, for these final results, we are continuing to treat these exporters as part of the China-wide entity

⁷ HTSUS subheading 4811.90.8000 was a classification used for LWTP until January 1, 2007. Effective that date, subheading 4811.90.8000 was replaced with 4811.90.8020 (for gift wrap, a non-subject product) and 4811.90.8040 (for “other” including LWTP). HTSUS subheading 4811.90.9000 was a classification for LWTP until July 1, 2005. Effective that date, subheading 4811.90.9000 was replaced with 4811.90.9010 (for tissue paper, a non-subject product) and 4811.90.9090 (for “other,” including LWTP).

⁸ As of January 1, 2009, the International Trade Commission deleted HTSUS subheadings 4811.90.8040 and 4811.90.9090 and added HTSUS subheadings 4811.90.8030, 4811.90.8050, 4811.90.9030, and 4811.90.9050 to the *Harmonized Tariff Schedule of the United States (2009)*. See *Harmonized Tariff Schedule of the United States (2009)*, available at <www.usitc.gov>. These HTSUS subheadings were added to the scope of the order in LWTP’s LTFV investigation.

⁹ In the *Preliminary Results*, we found Formers, Sailing, and Xiandai to be part of the China-wide entity. Specifically, Sailing and Xiandai each failed to submit a separate rate application to establish eligibility for separate rate status. Formers did not provide evidence of a suspended entry of subject merchandise into the United States during the POR, and our inquiry of the U.S. Customs and Border Protection (CBP) data reported no suspended AD/CVD entries of subject merchandise associated with Formers during the POR. For further details of the issues addressed in this proceeding, see the *Preliminary Results*.

and subject to the China-wide rate. Accordingly, no decision memorandum accompanies this *Federal Register* notice. For further details of the issues addressed in this proceeding, see *Preliminary Results* and the accompanying Preliminary Decision Memorandum. In these final results of review, we continue to treat Formers, Sailing, and Xiandai as part of the China-wide entity. The China-wide entity rate is 115.29 percent, as determined in the *Order*.¹⁰

China-Wide Entity

Commerce's policy regarding the conditional review of the China-wide entity applies to this administrative review.¹¹ Under this policy, the China-wide entity will not be under review unless a party specifically requests, or Commerce self-initiates, a review of the entity. Because no party requested a review of the China-wide entity in this review, the entity is not under review and the entity's rate is not subject to change from 115.29 percent in this review.

Assessment Rates

Commerce has determined, and CBP shall assess, antidumping duties on all appropriate entries in this review, in accordance with section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(1). Commerce intends to issue assessment instructions directly to CBP 15 days after publication in the *Federal Register* of these final results of administrative review.

¹⁰ See *Antidumping Duty Orders: Lightweight Thermal Paper from Germany and the People's Republic of China*, 73 FR 70959, 70960 (November 24, 2008) (*Order*).

¹¹ See *Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings*, 78 FR 65963 (November 4, 2013).

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(C) of the Act: (1) for previously investigated or reviewed China and non-China exporters who are not under review in this segment of the proceeding but who have separate rates, the cash deposit rate will continue to be the exporter-specific rate published for the most recent period; (2) for all China exporters of subject merchandise that have not been found to be entitled to a separate rate, including Formers, Sailing and Xiandai, the cash deposit rate will be the China-wide rate of 115.29 percent; and (3) for all non-China exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the China exporter(s) that supplied that non-China exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

Disclosure

Normally, Commerce discloses to interested parties the calculations performed in connection with the final results within five days of its public announcement, or if there is no public announcement, within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b). However, because Commerce determined that Formers, Sailing and Xiandai are part of the China-wide entity, to which the China-wide rate applies, there are no calculations to disclose.

Reimbursement of Duties

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Administrative Protective Order

This notice also serves as a reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under the APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

Notification to Interested Parties

This notice of the final results of this antidumping duty administrative review is issued and published in accordance with sections 751(a)(1) and 777(i) of the Act and 19 CFR 351.213(h) and 19 CFR 351.221(b)(5).

Dated: February 9, 2018.

James Maeder,

Associate Deputy Assistant Secretary

for Antidumping and Countervailing Duty Operations

performing the duties of the Deputy Assistant Secretary

for Antidumping and Countervailing Duty Operations.

[FR Doc. 2018-03162 Filed: 2/15/2018 8:45 am; Publication Date: 2/16/2018]